

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 ROBERT T. SLAVIN and EULOGIA
12 M. SLAVIN,

13 Plaintiffs,

14 v.

15 WELLS FARGO BANK, N.A. et al.,

16 Defendants.

Case No. 3:12-cv-2306-GPC-JMA

**ORDER GRANTING
UNOPPOSED MOTION TO
DISMISS**

(ECF NO. 3)

17 On August 21, 2012, Plaintiffs, through counsel, filed a complaint against
18 Defendants, asserting various foreclosure related claims. (ECF No. 1.) On September
19 21, 2012, Defendants removed the action to this Court. (Id.)

20 On September 28, 2012, Defendants filed a motion to dismiss Plaintiffs'
21 Complaint, and, on October 24, 2012, the case was transferred to this Court. (ECF
22 Nos. 3, 4.) This Court set Defendants' Motion to Dismiss for a hearing on April 5,
23 2013, and issued a briefing schedule requiring any response to Defendants' Motion to
24 Dismiss to be filed on or before November 30, 2012. (ECF No. 5.) To date, the Court
25 has received no response to Defendants' Motion to Dismiss from Plaintiffs.
26 Accordingly, the Court **GRANTS** Defendants' Motion to Dismiss as unopposed. See
27 CivLR 7.1.f.3.c; see also Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995) ("Failure to
28 follow a district court's local rules is a proper ground for dismissal."). **IT IS HEREBY**

1 **ORDERED** that Plaintiffs' Complaint is **DISMISSED WITHOUT PREJUDICE**,
2 and the hearing on Defendants' Motion to Dismiss, currently set for April 5, 2013, is
3 **VACATED**.

4 DATED: March 26, 2013

5 
6 HON. GONZALO P. CURIEL
7 United States District Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28